27th March 1928]

* The hon. the PRESIDENT :—" The question is that the following clause be added to Standing Order No. 40 :

'(5) The Secretary of the Legislative Council shall be the ex officio Secretary of the Select Committee and send notices of its meetings and conduct all correspondence connected with its business.'

(After a pause) " I take the House is ready for a vote."

The House having agreed, the motion was put to vote and carried.

Standing Orders Nos. 12 and 52.

* The hon. the PRESIDENT :—" The next item in the agenda is a motion by Mr. J. A. Saldanha for certain amendments to Standing Orders Nos. 12 and 52. Under Standing Order No. 76 I have now to read the draft amendments and ask whether the hon. Member has the leave of the Council. The amendments have been circulated to hon. Members of this House and I do not think it is necessary that I should read them. I wish to know whether the hon. Member has the leave of the House. (After a pause.) Since no Member objects I take it that the hon. Member has the leave of the House. The draft amendments have now to be referred to a Select Committee. Six Members of the Select Committee have to be selected by the Council by means of the single transferable vote in accordance with the regulations framed in this behalf, the President, the Deputy President and the Advocate-General being ex officio members of the Committee. One of the members of the panel of Chairmen is to be nominated by me as a member of the Committee. I fix 2 p.m. to-day as the hour within which nomination papers may be handed over to the Secretary."

III

BILLS TO AMEND THE ANDHRA UNIVERSITY ACT, 1925.

* The hon. Dr. P. SUBBARAYAN :—" I have had a talk with hon. Members regarding the Andhra University Bill ; I told them it will be better if the matter is postponed to the August session. Most of the hon. Members agreed to it ; and Diwan Bahadur P. Kesava Pillai also has agreed to defer it to the next session."

* Diwan Bahadur P. KESAVA PILLAI :—" I don't know why I should not be allowed to speak on behalf of myself. (Laughter.) In deference to the request of the party leaders I agree to the adjournment of this matter to the next session."

* The hon. the PRESIDENT :—" I think it will be convenient if a motion is made for the adjournment of the consideration of the Bill to the next session."

* Diwan Bahadur P. KESAVA PILLAI :—" I beg to move that items (1) to (7) in the agenda be adjourned to the next session of the Council."

Mr. J. A. SALDANHA :—" I second it."

* The hon. the PRESIDENT :—" The question is items (1) to (7) in the agenda be taken up in the next session."

[27th March 1928

* Mr. A. Ranganatha Mudaliyar :—" Before I give my vote I should like to know from the Government where we stand regarding the construction of building the headquarters and other necessary structures. Hon. Members of this House may remember that more than a year ago Government said that plans and estimates for the necessary headquarters were under scrutiny. Subsequently the Vice-Chancellor and other authorities concerned had had interviews with His Excellency the Governor and the hon. Minister for Education. Now we are being treated to a series of Bills the effect of which it is difficult to forecast. I should like to know whether Government are going to stay their hands entirely in this matter or whether they are going to issue directions, tentative though they might be, as to where the headquarters are to be situated."

* The hon. Dr. P. Subbarayan :—" I think the hon. Member knows quite as well as I do that the Government will take no steps with regard to the building of the headquarters till a decision has been arrived at in this Council. I was rather surprised that the hon. Member should rise and demand from me an answer. I can assure him that Government will take no steps in this matter till the Council has come to a decision on this matter."

The motion for adjournment was put to vote and carried.

IV

A BILL TO AMEND THE MALABAR WILLS ACT, 1898.[a]

* Mr. Mahmud Schamnad Sahib :—" Sir, I beg to present the report of the Select Committee appointed to consider the Bill to amend the Malabar Wills Act, 1898, and move that the Bill as amended by the Select Committee be taken into consideration. Sir, this Bill seeks to make Muhammadan law applicable to the wills executed by the Mappillas governed by Marumakkattayam law. These Mappillas are living in the North Malabar and in a portion of South Kanara. It is simply islamising some of the customs prevailing among these Mappillas. This matter was referred to the Collectors of Malabar and South Kanara and they are in favour of it. The Collector of Malabar says: 'I have consulted sixteen individual Mappillas and two Muhammadan Associations and have received in reply eight opinions. They are all in favour of legislation of the kind intended by the Bill. Briefly stated the grounds on which the legislation is advocated are: (1) In view of the Mappilla Succession Act, 1918, which brought the law of intestate succession among Marumakkattayam Mappillas into line with Muhammadan law, it is anomalous and improper that it should remain permissible to this class of Mappillas to make testamentary dispositions that violate the principles of Muhammadan law'."

The Raja of Ramnad :—" I rise to a point of order. The hon. Member is reading his speech."

* Mr. Mahmud Schamnad Sahib :—" I am reading the opinion of the Collector. (Laughter.) The second reason adduced by the Collector is 'The present state of the law in regard to wills exposes Marumakkattayam Mappillas to adverse criticism and even ridicule on the part of other Muhammadans.' The third reason in favour of the proposed legislation is 'the proposed legislation (it is said) only gives effect to the original intentions of those who promoted the passing of the Mappilla Succession Act'.

a Published in the *Fort St. George Gazette* on 8th November 1927—printed as Appendix on pages 62–63 infra.